CK/1002

Single Bench

In the Honble High Court of Chhattishgarh at Bilaspur (C.G.)

W.P. No. 4948 2006

P.R. No. 4962/06 Presented by Shri S.K. Verma dated 21/9/06

Petitioner Loknath Bhardiya aged 48 years son of Shri Udairam Bhardiya, Assistant Teacher, Primary School, Kuthrel, Durg, Tahsil & district,Durg.

VERSUS

Respondent ... ... 1. The State Government of Chhattishgarh, Through the Secretary, Education Department D.K.S. Bhavan, Raipur (C.G.)
2. The Block Education Officer, Durg (C.G)

Writ petition under articles 226/227 of the Constitution of India for issuance of writ in the nature of MANDAMUS, Certiorari, Prohibition and other suitable WRIT or writs, Order or orders, Direction or directions.

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 4948 of 2006

Petitioner : Loknath Bhardiya

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Ajay Shrivastava, Advocate for the Petitioner.

Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(11th September, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Assistant Teacher, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B. Ed. Examination Certificate on 14.7.1992 from Barkatullah University, Bhopal.

2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed.

Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 (Annexure P/2) issued by the State Government of Madhya Pradesh

3. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur